IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

WP(C).No. 27558 of 2007(E)

OS.138/2006 of PRINCIPAL SUB COURT,ATTINGAL
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PETITIONER:

NAZAR,S/O. JALAL, AGED 34 YEARS,
KAREEMA MANZIL, VETTOOR DESOM,
CHIRAYINKEEZHU TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.J.JAYAKUMAR

RESPONDENTS:
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1. A.THOMAS,
S/O. ABRAHAM THOMAS,VALLIYATH VEEDU,
ARUKALICKAL EAST,NEDUMON, EZHAMKULAM,ADOOR TALUK.

2. RAJENDRAN, S/O. NADARAJAN,
RAJ BHAVAN, KARATTE,VAMANAPURAM TALUK.

3. S.A.USHA,W/O. RAJEDRAN,
RAJ BHAVAN, KARATTE, VAMANAPURAM TALUK.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 27558 OF 2007

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Dated this the 17th day of September, 2007.

J U D G M E N T

This writ petition is filed seeking for a direction to dispose of Ext.P1 claim petition within a time frame. It is submitted by the learned counsel for the writ petitioner that the property had been attached in the suit and much before the order of attachment the property had come into possession of the claimant by virtue of a valid document and therefore the property is not liable to be attached and his claim has to be adjudicated as contemplated under Order 38 Rule 8 of the CPC. The learned counsel prays for an expeditious disposal of the claim petition. There is considerable force in that contention. Therefore, I direct the learned Sub Judge, Attingal to dispose of Ext.P1 claim petition as expeditiously as possible within a time frame of two months.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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